



Applicant's Docket No. 701826-057830

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Boilard et al.
Application No.: 10/575,698
Filed: 09/26/2006

Confirm. No.: 6783
Examiner: To be assigned
Group No.: 1653
Customer No.: 50828

For: SPERM PROTECTIVE POLYPEPTIDES AND USES THEREOF

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. § 1.8(a) and 1.10)

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	10/575,698	
	Filing Date	09/26/2006
	First Named Inventor	Mathieu Boilard
	Group Art Unit	1653
	Examiner Name	To be assigned
Attorney Docket Number	701826-057830	
Total Number of Pages in This Submission		

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Declaration and Power of Attorney <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Application Data Sheet <input type="checkbox"/> Request for Corrected Filing Receipt with Enclosures <input type="checkbox"/> A self-addressed prepaid postcard for acknowledging receipt <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Certificate of Mailing (1pg); Form PTO/SB/08B (2 pp.); Copy of References C9-C39; and Return Receipt Postcard.
Remarks		<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 50-0850 for the above identified docket number.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Nixon Peabody LLP 100 Summer Street Boston, MA 02110-2131
Signature	
Name	David S. Resnick (Reg. No. 34,235) / Stephen R. Duly (Reg. No. 56,183)
Date	April 5, 2007

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

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April 5, 2007
Date

Megan L. Sternbridge
Typed or printed name



Practitioner's Docket No. 701826-057830

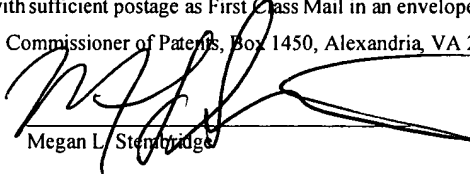
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Boilard et al.
Application No.: 10/575,698
Filed: 09/26/2006

Confirm. No.: 6783
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Group No.: 1653
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For: SPERM PROTECTIVE POLYPEPTIDES AND USES THEREOF

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Date: April 5, 2007	 Megan L. Stentz

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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

In accordance with the provisions of 37 C.F.R. §§1.56 and 1.97, Applicants herewith submit the publications and/or patents shown on the attached Form PTO/SB08 B, for consideration by the Examiner in connection with the examination of the above-identified patent application.

REMARKS

In accordance with the provisions of 37 C.F.R. §1.97, this statement is being filed:

- | | | |
|---------------|-----|--|
| <u> X </u> | (1) | within three (3) months of the Filing Date or before the mailing date of the First Office Action on the merits; or |
| <u> </u> | (2) | within three months of the mailing date of the European Search Report – copy enclosed herewith; or |
| <u> </u> | (3) | after the period defined in (1) but before the mailing date of a Final Rejection or Notice of Allowance , and the requisite Certification or fee under Rule 1.17(p), namely \$180.00 , is included herein; or |

In re application of: Boilard et al.

Application No. 10/575,698

Supplemental Information Disclosure Statement filed April 5, 2007

Page 2 of 2

____ (4) after the mailing date of a **Final Rejection** or **Notice of Allowance** but before the payment of the **Issue Fee**, and the requisite Certification, petition, and petition fee are included herein.

It is respectfully requested that each of the documents shown on the attached form(s) PTO/SB/08 B be made of record in this application. Copies of these documents:

X are enclosed herewith; and

____ Pursuant to 37 C.F.R. §1.98, copies of the U.S. patents and U.S. patent application publications (i.e., Reference Cite No.) listed on the attached PTO/SB/08 form is no longer required and therefore are not enclosed. These documents can be found in the U.S. PTO issued patents database.

Early examination and allowance of the present application are respectfully solicited.

FEE AUTHORIZATION

Should any fees associated with the submission be required, the Commissioner is authorized to charge the missing fee to our Deposit Account No. 50-0850. Any overpayments should be credited to said Deposit Account.

Date: April 5, 2007

Respectfully submitted,



David S. Resnick (Reg. No. 34,235)

Stephen R. Duly (Reg. No. 56,183)

NIXON PEABODY LLP

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Boston, MA 02110

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Form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Complete if Known

<p>Sheet 1 of 2</p>				Application Number	10/575,698
				Filing Date	09/26/2006
				First Named Inventor	Mathieu Boilard
				Art Unit	1653
				Examiner Name	To be assigned
				Attorney Docket Number	701826-057830

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	C9	ABE, H. et al., "Secretory Products of Bovine Oviductal Epithelial Cells Support the Viability and Motility of Bovine Spermatozoa in Culture In Vitro," <i>J. Experimental Zoology</i> 272:54-61, 1995.	
	C10	ANDERSON, S. et al., "Effect of Macromolecules from Oviductal Conditioned Medium on Bovine Sperm Motion and Capacitation," <i>Biology of Reproduction</i> 51:795-799, 1994.	
	C11	BOILARD, M. et al., "Effect of Bovine Oviduct Epithelial Cell Apical Plasma Membranes on Sperm Function Assessed by a Novel Flow Cytometric Approach," <i>Biology of Reproduction</i> 67:1125-1132, 2002.	
	C12	CHAVARRIA, M. et al., "Secretions of Ovine Uterus and Oviduct Induce In Vitro Capacitation of Ram Spermatozoa," <i>Archives of Andrology</i> 36:17-23, 1996.	
	C13	CHIAN, R. et al., "Fertilizing Ability of Bovine Spermatozoa Cocultured with Oviduct Epithelial Cells," <i>Biology of Reproduction</i> 52:156-162, 1995.	
	C14	DE PAUW, I. et al., "Sperm Binding to Epithelial Oviduct Explants in Bulls with Different Nonreturn Rates Investigated with a New In Vitro Model," <i>Biology of Reproduction</i> 67:1073-1079, 2002.	
	C15	DOBRINSKI, I. et al., "Membrane Contact with Oviductal Epithelium Modulates the Intracellular Calcium Concentration of Equine Spermatozoa In Vitro," <i>Biology of Reproduction</i> 56:861-869, 1997.	
	C16	EHRENWALD, E. et al., "Bovine Oviductal Fluid Components and Their Potential Role in Sperm Cholesterol Efflux," <i>Molecular Reproduction and Development</i> 25:195-204, 1990.	
	C17	ELLIS, R. et al., "Molecular Chaperones," <i>Annu. Rev. Biochem.</i> 60:321-347, 1991.	
	C18	GRIPPO, A. et al., "Effect of bovine ampullary and isthmic oviductal fluid on motility, acrosome reaction and fertility of bull spermatozoa," <i>J. Reproduction and Fertility</i> 105:57-64, 1995.	
	C19	HUNTER, R. et al., "Sperm transport in the cow : peri-ovulatory redistribution of viable cells within the oviduct," <i>Reprod. Nutr. Develop.</i> 24(5A):597-608, 1984.	
	C20	KING, R. et al., "Effect of Bovine Oviductal Estrus-Associated Protein on the Ability of Sperm to Capacitate and Fertilize Oocytes," <i>J. Andrology</i> 15(5):468-478, 1994.	
	C21	LAPOINTE, S. et al., "Binding of a Bovine Oviductal Fluid Catalase to Mammalian Spermatozoa," <i>Biology of Reproduction</i> 58:747-753, 1998.	

	C22	LEFEBVRE, R. et al., "Bovine Sperm Binding to Oviductal Epithelium Involves Fucose Recognition," <i>Biology of Reproduction</i> 56:1198-1204, 1997.	
	C23	LEFEBVRE, R. et al., "Characterization of the Oviductal Sperm Reservoir in Cattle," <i>Biology of Reproduction</i> 53:1066-1074, 1995.	
	C24	LEFEBVRE, R. et al., "Effect of Capacitation on Bull Sperm Binding to Homologous Oviductal Epithelium," <i>Biology of Reproduction</i> 54:575-582, 1996.	
	C25	MALAYER, J. et al., "Secretion of Proteins by Cultured Bovine Oviducts Collected From Estrus Through Early Diestrus," <i>The Journal of Experimental Zoology</i> 248:345-353, 1988.	
	C26	MCNUTT, T. et al., "Influence of Bovine Follicular and Oviduct Fluids on Sperm Capacitation <i>In Vitro</i> ," <i>Journal of Andrology</i> 12(4):244-252, 1991.	
	C27	MEINHARDT, A. et al., "Expression of Mitochondrial Heat Shock Protein 60 in Distinct Cell Types and Defined Stages of Rat Seminiferous Epithelium," <i>Biology of Reproduction</i> 52:798-807, 1995.	
	C28	MURRAY, S. et al., "Sperm interaction with fallopian tube apical membrane enhances sperm motility and delays capacitation," <i>Fertility and Sterility</i> 68(2):351-357, 1997.	
	C29	PARRISH, J. J. et al., "Capacitation of Bovine Spermatozoa by Oviduct Fluid," <i>Biology of Reproduction</i> 40:1020-1025, 1989.	
	C30	POLLARD, J. et al., "Fertilizing Capacity of Bovine Sperm May Be Maintained by Binding to Oviductal Epithelial Cells," <i>Biology of Reproduction</i> 44:102-107, 1991.	
	C31	SARTO, C. et al., "Heat shock proteins in human cancer," <i>Electrophoresis</i> 21:1218-1226, 2000.	
	C32	SMITH, T. et al., "Role of Direct Contact between Spermatozoa and Oviductal Epithelial Cells in Maintaining Rabbit Sperm Viability," <i>Biology of Reproduction</i> 56:83-89, 1997.	
	C33	SUAREZ, S. et al., "Bull Sperm Binding to Oviductal Epithelium Is Mediated by a Ca^{2+} -Dependent Lectin on Sperm That Recognizes Lewis-a Trisaccharide," <i>Biology of Reproduction</i> 59:39-44, 1998.	
	C34	SUAREZ, S. et al., "Formation of a Reservoir of Sperm in the Oviduct," <i>Reprod Dom Anim</i> 37:140-143, 2002.	
	C35	SUAREZ, S., "The Oviductal Sperm Reservoir in Mammals: Mechanisms of Formation," <i>Biology of Reproduction</i> 58:1105-1107, 1998.	
	C36	TRIANTAFILOU, M. et al., "Major Histocompatibility Class One Molecule Associates With Glucose Regulated Protein (GRP) 78 on the Cell Surface," <i>Human Immunology</i> 62:764-770, 2001.	
	C37	WERNER, A. et al., "Distribution of heat-shock protein 60 immunoreactivity in testes of infertile men," <i>Cell Tissue Res</i> 288:539-544, 1997.	
	C38	XIAO, G. et al., "Calreticulin Is Transported to the Surface of NG108-15 Cells Where It Forms Surface Patches and Is Partially Degraded in an Acidic Compartment," <i>J. Neuroscience Res</i> 58:652-662, 1999.	
	C39	XIAO, G. et al., "KDEL proteins are found on the surface of NG108-15 cells," <i>Molecular Brain Research</i> 72:121-128, 1999.	

Examiner Signature		Date Considered	
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* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.